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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,130	11/15/2000	Michael J. Bowes	108339-09058	8854

7590

01/28/2004

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EXAMINER
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MOORE JR, MICHAEL J

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 01/28/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/712,130

Applicant(s)

BOWES, MICHAEL J.

Examiner

Michael J Moore, Jr.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1 and 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2-4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on 11/15/2000, 8/31/2001, and 11/7/2001 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statements.

### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

3. The disclosure is objected to because of the following informalities: On page 2, line 26, the word "mutliplexor" should be "multiplexor". On page 2, line 27, the word "ouput" should be "output". On page 2, line 29, the word "mutliplexor" should be "multiplexor". On page 2, line 31, the word "mutliplexor" should be "multiplexor". On page 43, line 32, the word "affect" should be "effect". On page 55, line 32, the word "march" should be "match". On page 58, line 25, the word "programed" should be "programmed". On page 62, line 23, the word "se" should be "see". On page 79, line 8, "SOC 20" should be "SOC 10" in order to correspond with the drawings. On page 94, line 24, "interface 271" should be "interface 261" in order to correspond with the drawings. Appropriate correction is required.

### ***Drawings***

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: The steps 25-6, 25-7, and 25-8 that are mentioned in the specification are not labeled in Figure 25. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
5. The drawings are objected to because of the following informalities: In Figure 8, element 112 that is labeled "data pocket" should be "data packet". Lastly, in Figure 36, the word "filed" used in both steps 36-3 and 36-5 should be "field". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

6. Claims **1 and 2** are objected to because of the following informalities: Regarding claim **1**, the word "of" is missing on line 12 between the words "level" and "glitchless". Regarding claim **2**, the word "of" is missing on line 3 between the words "level" and "glitchless". Appropriate correction is required.

### ***Allowable Subject Matter***

7. Claims **1-5** are allowed.
8. The following is an examiner's statement of reasons for allowance:

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Regarding claim 1, the prior art teaches a network switch with an Internet port interface controller comprising a memory and a high performance interface. The prior art also teaches a data connection bus using dual edge data transfer. The prior art also teaches output drivers and a multiplexing circuit. The prior art also teaches a glitchless multiplexor. The prior art fails to teach a multiplexing circuit including two levels of glitchless multiplexors used to serialize data.

Regarding claims 2, 3, and 4, these claims are further limiting to claim 1 and therefore are also not taught by the prior art.

Regarding claim 5, the prior art teaches a method of sending data through a high performance interface of a network switch. The prior art also teaches receiving parallel data over a high performance interface. The prior art also teaches the multiplexing of parallel data. The prior art does not teach the storing of a portion of parallel data in a first register clocked on a positive edge of a clock signal. The prior art also does not teach the storing of another portion of parallel data in a second register clocked on a negative edge of a clock signal. The prior art also does not teach using a two level glitchless multiplexor arrangement in order to allow for outputs that do not have function hazards.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mendel et al. (U.S. 6,359,469), Sandner (U.S. 6,075,392), Bertolet et al. (U.S. 6,025,744), Kosco (U.S. 5,793,236), Luedtke (U.S. 5,481,215), Heimann (U.S. 5,357,146), Rasmussen (U.S. 5,231,636), and Varma et al. (U.S. 5,831,980) are all references that contain material pertinent to this application.

10. This application is in condition for allowance except for the following formal corrections to the specification, drawings, and claims that are stated above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Moore, Jr. whose telephone number is (703) 305-8703. The examiner can normally be reached during the hours of 8:30am - 5:00pm (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (703) 308-5463. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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